

REMARKS

Entry of this Amendment and reconsideration are respectfully requested in view of the amendments made to the claims and the remarks made herein.

Claims 1-7 are pending and stand rejected.

Prior to responding to the rejection of the claims, applicant would note that item 4 of the present Office Action recites a quotation of 35 USC 103(a) as forming the basis of all obviousness rejections but refers to section 102. Further, item 5, recites the rejection of claims 1, 2, 6 and 7 under 35 USC 102(e) as being anticipated by McDevitt in view of Skeen. But states that it would be obvious to combine the two references.

Applicant would further note that in the response to the applicant's arguments provided in the prior amendment, filed on November 11, 2004, the Office Action states that applicant's arguments are not persuasive and the rejection of claims 1-7 is maintained.

As two references were cited in rejecting the claims, applicant believes that claims 1, 2, 6 and 7 are rejected under 35 USC §103 and not 35 USC §102 as stated. Hence, applicant submits that the arguments previously presented were sufficient to overcome the reasons for the rejection under 35 USC §102(e) previously recited.

Accordingly, applicant will respond to the rejection as if the rejection was under 35 USC §103. If, however, applicant has incorrectly assumed that the claims are rejected under 35 USC §103, applicant reserves the right to timely respond to the rejection under 35 USC §102, without the imposition of additional fees.

Claims 1, 2, 6 and 7 stand rejected under 35 USC §103(a) [102(e)] as being unpatentable [anticipated] by McDevitt (US Pub. No. 2003/0186228) in view of Skeen (USP no. 5,257,369).

McDevitt discloses a system for the rapid characterization of multi-analyte fluids including a light source, a sensor array and a detector. Using pattern recognition techniques, the analytes within a multi-analyte fluid may be characterized. McDevitt

discloses that a software program may be implemented in any of various ways to execute the processing for characterizing the fluid (paragraphs 424-425). McDervitt fails to disclose any characteristics of the software program other than it may be an object-oriented program or it may use JAVA. McDervitt fails to disclose, and the Office Action acknowledges, that the software program comprising a skeleton software architecture of generic and specific requirements, wherein said generic requirements focuses on generic meaning of service interfaces and said specific requirements provides for service specific issues, as is recited in the claims.

Skeen discloses a communication interface for decoupling one software application from another software application wherein the communication between applications is facilitated in modularized fashion. Skeen discloses that protocol engines encapsulate a communication protocol which interfaces service discipline protocols to the particular network protocols and that these protocol engines provide a "generic" communication interface to the client applications. (see col. 25, lines 31-39). Hence, , Skeen discloses protocol engines other that provide a communication protocol for a specific interface and that the use of the protocol engine may be considered generic. . However, Skeen fails to disclose or suggest an "architecture of generic and specific requirements, wherein said generic requirements focuses on generic meaning of service interfaces and said specific requirements provides for service specific issues," as is recited in the claims.

A claimed invention is prima facie obvious when three basic criteria are met. First, there must be some suggestion or motivation, either in the reference themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the teachings therein. Second, there must be a reasonable expectation of success. And, third, the prior art reference or combined references must teach or suggest all the claim limitations.

Neither McDervitt nor Skeen teach or suggest all the elements recited in the above referred-to claims. Hence, even if the teachings of McDervitt and Skeen, were combined, the invention recited in claim 1 would not be rendered obvious as the combine device fails to develop a system having all the features recited in independent claim 1.

Having shown that the combination of McDervitt and Skeen, fails to teach or

suggest all the elements claimed, applicant submits that the reason for the rejection has been overcome and the rejection can no longer be sustained. Applicant respectfully requests withdrawal of the rejection and allowance of the claim.

With regard to claim 7, this claim recites a method similar to the system recited in claim 1 and was rejected for the same reason used in rejecting claim 1. Thus, the applicant's remarks made in response to the rejection of claim 1 are also applicable in response to the rejection of claim 7. In view of the remarks made with regard to the rejection of claim 1, which are reasserted, as if in full, herein, in response to the rejection of claim 7, applicant submits that the reason for rejecting this claim has been overcome and the rejection can no longer be sustained. Applicant respectfully requests withdrawal of the rejection and allowance of the claims.

With regard the claims 2 and 6 these claims ultimately depend from the independent claim 1, which has been shown to contain subject matter not disclosed by, and allowable over, the references cited. Accordingly, these claims are also allowable by virtue of their dependency from an allowable base claim.

Applicant respectfully requests withdrawal of the rejection and allowance of the claims.

Claims 3-5 stand rejected under 35 USC 103(a) as being unpatentable over McDervitt and Skeen in further in view of article entitled "Java 2 Platform, Enterprise edition, J2EE, Sun Microsystems" (referred to as Shannon-Sun).

Applicant respectfully disagrees with and explicitly traverses the reason for rejecting the claims.

Claims 3-5 depend from independent claim 1 which has been shown to contain subject matter not disclosed by the combination of McDervitt and Skeen. Shannon-Sun fails to disclose or suggest a an "architecture of generic and specific requirements, wherein said generic requirements focuses on generic meaning of service interfaces and said specific requirements provides for service specific issues," as is recited in the claims.

Hence, the invention recited in claim 1 would not be rendered obvious, even if the teachings of the cited references were combined, as the combine device fails to develop a


system having all the features recited in independent claim 1 from which claims 3-5 depend.

Having shown that the combination of the cited references fails to teach or suggest all the elements claimed, applicant submits that the reason for the rejection has been overcome and the rejection can no longer be sustained. Applicant respectfully requests withdrawal of the rejection and allowance of the claims.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

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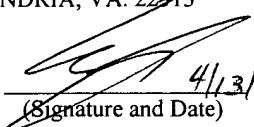
Date: April 13, 2005

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(Signature and Date) 4/13/05